

Watching and listening today, Americans everywhere are saying: I wish I could be there to tell them how sorry we are, how much we grieve for them. And to tell them too, how thankful we are for those they loved, and that we will remember them, and recall always the meaning of their deaths and their lives.

A Marine chaplain, in trying to explain why there could be no human explanation for a tragedy such as this, said once: "You would think it would break the heart of God."

We stand today in the midst of tragedy—the mystery of tragedy. Yet a mystery that is part of that larger awe and wonder that causes us to bow our heads in faith and say of those we mourn, those we have lost, the words of scripture: "Lord now let Thy servants go in peace, Thy word has been fulfilled."

To the families and friends of our fallen colleagues and comrades we extend today our deepest sympathy and condolences—and those of the American people.

We pray that God will give some share of the peace that now belongs to those we lost, to those who knew and loved them in this life.

But as we grieve together we are also thankful—thankful for their lives, thankful for the time we had with them. And proud too—as proud as they were—that they lived their lives as Americans.

We are mindful too—and resolute that their deaths, like their lives, shall have meaning. And that the birthright of human freedom—a birthright that was theirs as Americans and for which they died—will always be ours and our children's. And through our efforts and example, one day, the birthright of every man, woman, and child on earth.

CONGRATULATIONS TO AZERBAIJAN

HON. DAN BURTON

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 16, 2001

Mr. BURTON of Indiana. Mr. Speaker, I would like to present my most sincere congratulations to President Aliyev on the occasion of the 10th anniversary of the restoration of Azerbaijan's independence. The past several years have proven your nation's commitment to democracy, and I encourage you to continue your efforts aimed at strengthening Azerbaijan's independence, territorial integrity, and sovereignty. We, in the U.S. Congress, appreciate Azerbaijan's friendship and support, especially in these times of the international campaign against terrorism. Please, accept, Mr. President, my best wishes to yourself and the Azerbaijani people on this anniversary.

RURAL EXEMPTION ENHANCEMENT ACT OF 2001

HON. GEORGE RADANOVICH

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 16, 2001

Mr. RADANOVICH. Mr. Speaker, I rise today to introduce the "Rural Exemption Enhancement Act of 2001" (REEA). This modest proposal would ensure greater regulatory cer-

tainty for many of our nation's rural telephone companies as they continue their efforts to bring quality and affordable advanced telecommunications services to our communities. I am pleased that this legislation has been endorsed by the Organization for the Promotion and Advancement of Small Telecommunications Companies as well as Sierra Telephone Company in my home district.

More than five years ago, Congress passed comprehensive legislation to reform our nation's telecommunications laws—the Telecommunications Act of 1996. In crafting this legislation, Congress wisely included provisions which exempt rural telephone companies from the collocation, unbundling and resale obligations imposed upon incumbent local exchange carriers. Congress understood that these obligations would not serve the best interests of rural consumers and would deter investment in high-cost areas that are already challenging to serve due to a lack of economies of scale.

Mr. Speaker, it is important to note that the rural exemption accorded to rural telephone companies is not permanent and can be lifted by a State commission. Under section 251(f) of the Telecommunications Act, a new entrant may make a bona fide request to a State commission to lift a rural ILEC's exemption. Following a 120 day evaluation of the request, a State commission may lift the exemption if the request from the competing carrier is not found to be unduly economically burdensome, is technically feasible, and is consistent with the universal service provisions of the Act.

I am very concerned, however, that the lifting of a rural telephone company exemption by a State commission currently applies to both voice grade and advanced services. The current process for evaluating a petition to lift a rural exemption provides disincentive for small, rural carriers to make costly investment in advanced telecommunications service infrastructure. For these reasons, I am introducing the "Rural Exemption Enhancement Act."

My legislation should not in any way be interpreted to be a competing proposal to H.R. 1542, the "Internet Freedom and Broadband Deployment Act of 2001" passed by the House Energy and Commerce Committee. I am proud to be a cosponsor and active supporter of that proposal. The bill that I am introducing today would simply make it clear that a request to lift the voice grade exemption should be made and evaluated separately from the advanced services exemption.

Mr. Speaker, this Congress and the President will spend the remainder of this session developing legislation that is vital to our nation's economy and national security. I look forward to working with my colleagues to move this legislation forward next year before the 107th Congress adjourns sine die.

IN HONOR OF CELIA CRUZ, RECIPIENT OF THE JAMES SMITHSON BICENTENNIAL MEDAL

HON. ROBERT MENENDEZ

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 16, 2001

Mr. MENENDEZ. Mr. Speaker, I rise today to honor and pay tribute to musical legend Celia Cruz. On Tuesday, October 16, 2001,

Ms. Cruz will be awarded the James Smithson Bicentennial Medal for her distinguished musical career and invaluable contributions to our nation's cultural heritage. The award ceremony will take place at the Smithsonian Institution in Washington, DC.

Celia Cruz was born and raised in the Santa Suárez neighborhood of Havana, Cuba. As a young girl, she spent much of her spare time entertaining her peers, friends, and neighbors by singing lullabies and melodies. In the 1940's, she officially began her musical career by singing on numerous Cuban radio programs. She expanded her musical aptitude by studying at Havana's Conservatory of Music from 1947 to 1950.

In 1950, Celia Cruz gained international acclaim by becoming the lead singer for Cuba's top dance band, La Sonora Matancera. For over fifteen years, La Sonora Matancera electrified sold-out audiences with their vibrant and catchy Afro-Cuban melodies and rhythms.

Throughout much of her career, Celia Cruz has been hailed as the "Queen of Salsa" due to her energetic and animated musical performances. Cruz, a Grammy Award winner and Latina musical icon, has enjoyed a dynamic career that has spanned over five decades, recorded countless albums, and has often performed with musical great Tito Puente.

Today, I ask my colleagues to join me in honoring Celia Cruz, for her immeasurable contributions throughout her illustrious career. The James Smithson, Bicentennial Medal could not have been awarded to a more deserving human being—Celia Cruz, a living legend, who continues to inspire the world.

THE INTRODUCTION OF THE FAIR TAX TREATMENT FOR INSURANCE AGENTS' TERMINATION PAYMENTS ACT OF 2001

HON. SAM JOHNSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 16, 2001

Mr. SAM JOHNSON of Texas. Mr. Speaker, I rise today in order to introduce a small business tax relief measure that will assist thousands of insurance agents throughout this country as they prepare for retirement.

Many exclusive insurance agents who leave or retire from their jobs receive what is known as a "termination payment" under a contractual agreement with their respective insurance companies. These payments are paid for intangible assets, including the agent's "book of business" and goodwill, and are usually spread out over a series of years.

Currently, there is confusion about the tax treatment of these termination payments, which has caused some IRS field agents to question the capital gains treatment of these payments. My bill, the "Fair Tax Treatment for Insurance Agents' Termination Payments Act of 2000," will make it clear that these termination payments are for the sale or other disposition of intangible capital assets and therefore should be subject to capital gains treatment. A clarification of current law is needed to ensure the correct result and prevent unknowing IRS agents from subjecting innocent insurance agents around the country to attack and audit on an issue that has no basis for controversy.

I urge my colleagues to support my bill and work with me to clarify the law to ensure that insurance agent "termination payments" are subject to capital gains treatment for Federal income tax purposes.

PERSONAL EXPLANATION

HON. JOHN M. McHUGH

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 16, 2001

Mr. McHUGH. Mr. Speaker, I was called away from Washington on the evening of October 11th to attend to an ill family member. Due to my absence that evening and on Friday, October 12, I missed votes on the floor of the House of Representatives, including the vote on H.R. 2975, the Provide Appropriate Tools Required to Intercept and Obstruct Terrorism (PATRIOT) Act. Had I been present, I would have voted in support of the legislation and its worthy objective of providing law enforcement officials with additional tools to detect, apprehend, and prosecute terrorists.

The horrific events of September 11th have demonstrated that more needs to be done to protect Americans from terrorism. At the same time, my colleagues and I are quite cognizant of our responsibilities in safeguarding the fundamental constitutional rights of the American people. The PATRIOT Act recognizes these concerns and strikes a balance between security enhancements and tools for law enforcement and civil liberties.

TRIBUTE TO MAJOR GENERAL JOHN D. HAVENS

HON. IKE SKELTON

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 16, 2001

Mr. SKELTON. Mr. Speaker, let me take this means to congratulate and pay tribute to General John Havens, who recently retired as the Adjutant General of the Missouri National Guard. He has distinguished himself, the Missouri National Guard, and our nation with dedicated service.

General Havens began his military career as an ROTC cadet at the Missouri School of Mines, now the University of Missouri-Rolla. Upon graduation, he was commissioned as a Second Lieutenant and attended the Army's engineer school at Fort Belvoir, Virginia. Next, General Havens served as a Platoon Leader and Engineer Supply Officer in France and Assistant S4 at Fort Ord, California. General Havens was then released from active duty in 1963.

General Havens' distinguished career with the Missouri National Guard began in 1963 as a Platoon Leader in Rolla, Missouri. He held the same position in Fredericktown, Missouri, and Salem, Missouri, before serving as a Maintenance Officer at Jefferson Barracks, Missouri. General Havens continued to serve at Jefferson Barracks for 11 years, serving as Assistant Operations Officer, Construction Engineer, Engineer Plans Officer, and Facility Engineer. The next position General Havens held was Chief Facility Engineer at Nevada, Missouri, and was then promoted to Com-

mander, Camp Clark Training Site in Nevada. General Havens then served as Director of Facilities at the Missouri National Guard Headquarters.

In July of 1993, General Havens was appointed Assistant Adjutant General, Army, of the Missouri National Guard. He served in this position until 1997 when he was appointed, by Governor Mel Carnahan, Adjutant General of the Missouri National Guard. As the Adjutant General, he was responsible to the Governor for the command and control of 10,000 Missouri Army and Air National Guard personnel. He was also responsible to the Governor for the State Emergency Management Agency and the Civil Air Patrol.

Mr. Speaker, General Havens has had an impressive career in the military. As he prepares for this next stage in his life, I am certain that my colleagues will join me in wishing General Havens all the best. We thank him for his 40 years of service to the United States of America.

INDIA FIRING ON KASHMIR OPPORTUNITY TO BRING FREEDOM TO SOUTH ASIA

HON. EDOLPHUS TOWNS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 16, 2001

Mr. TOWNS. Mr. Speaker, last year when former President Clinton visited India, 35 Sikhs were massacred in the village of Chithisinghpura. Two independent investigations have shown that the Indian government carried out this massacre. Now Secretary of State Powell is visiting India and Indian troops are firing on Kashmir. I can't help but wonder why the sudden outbreak. It seems odd these incidents occur when American officials visit the country.

Mr. Speaker, this could be an opportunity for the people and nations seeking freedom in South Asia. The Council of Khalistan has put out an open letter saying that now is the ideal time for the people of Kashmir, Khalistan, Nagaland, and the other minority nations of South Asia to claim their freedom.

Clearly, India is taking advantage of the U.S. war on terrorism to advance its own hegemonic agenda. The fact that Sikhs, Kashmiri Muslims, and other minorities are going to be casualties of this strategy is apparently of no importance to them. It's just another opportunity to take down their enemy, Pakistan, which has been an active supporter and participant in the U.S. antiterrorist coalition.

America was founded on the idea of freedom. It is that freedom that the terrorists are trying to destroy. One of the best ways to fight the terrorists is to help spread freedom to new corners of the world.

Mr. Speaker, the time has come to cut off U.S. aid to India in light of its human-rights abuses and its opportunistic use of the antiterrorist effort to promote its narrow interest. It is also time to put the U.S. Congress on record in support of the freedom movements around South Asia in the form of a free and fair plebiscite on their political status. These measures will help spread freedom and undermine the efforts of the terrorists to destroy our principles.

Mr. Speaker, I would like to place the Council of Khalistan's open letter on the Indian at-

tack on Kashmir into the RECORD for the information of my colleagues.

INDIAN ATTACK ON KASHMIR PROVIDES OPPORTUNITY FOR FREEDOM; INDIA IS NOT ONE NATION

Taking advantage of the U.S. war on terrorism to advance its own agenda, India has begun shelling Azad (Free) Kashmir. This action brings the war over Kashmir out into the open just as Secretary of State Colin Powell is arriving in South Asia. Unfortunately, there will undoubtedly be casualties, and most of them will be Kashmiris, Sikhs, and other minorities. The only party that benefits from this is the Indian government, which has murdered over 250,000 Sikhs since 1984, over 200,000 Christians in Nagaland since 1947, more than 75,000 Kashmiri Muslims since 1988, and tens of thousands of Dalits (dark-skinned "Untouchables," the aboriginal people of South Asia), Tamils, Bodos, Assamese, Manipuris, and others.

This act by India shows who America's real allies are, and which country is the real supporter of terrorism. Once again, India is claiming that it is going after terrorism, despite India's own record of terrorism.

In November 1994, the Indian newspaper Hitavada reported that the Indian government paid the late governor of Punjab, Surendra Nath, approximately \$1.5 billion to organize and support covert state terrorism in Punjab Khalistan, and in Kashmir. The book *Soft Target*, written by journalists from the Toronto Star and the Toronto Globe and Mail, shows that the Indian government blew up its own airliner in 1985, killing 329 innocent people. According to India Today, the Indian government created the Liberation Tigers of Tamil Eelam (LTTE) and put up LTTE leaders in New Delhi's finest hotel. The LTTE were created to stop a U.S. broadcast tower in Sri Lanka. Then the Indian government turned on the LTTE because the LTTE seeks an independent country for Tamils.

The Indian government sentenced Devinder Singh Bhullar to death because he advocated Khalistan, yet Ribeiro, Ray, K.P.S. Gill, Swaran Singh Ghotna, and the other police and political officials who committed genocide against the Sikhs are not punished. In June a train carrying Sikh religious pilgrims was attacked by militant Hindu fundamentalists. On May 27, several Indian soldiers were caught red-handed trying to set fire to a Gurdwara and some Sikh homes in Kashmir. Sikh and Muslim residents of the village overwhelmed the troops and stopped them from carrying out this atrocity.

A report issued in April by the Movement Against State Repression (MASR) shows that India admitted that it held 52,268 political prisoners under the repressive "Terrorist and Disruptive Activities Act" (TADA). These Sikh political prisoners must be released immediately. These prisoners continue to be held under TADA even though it expired in 1995. Persons arrested under TADA are routinely re-arrested upon their release. Cases were routinely registered against Sikh activists under TADA in states other than Punjab to give the police an excuse to continue holding them. The MASR report quotes the Punjab Civil Magistracy as writing "if we add up the figures of the last few years the number of innocent persons killed would run into lakhs [hundreds of thousands.]" As General Narinder Singh has said, "Punjab is a police state." U.S. Congressman Dana Rohrabacher has said that for minorities like the Sikhs, the Muslims of Kashmir, and others, "India might as well be Nazi Germany."

It is not just Sikhs who are being targeted by Indian terrorism. In 1997, a Christian religious festival was broken up by police gunfire. Since Christmas 1998, Christians have